GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Excise Department – Sri M.Venkateswara Rao, P&E HC now retired from service on attaining the age of superannuation – DEPARTMENTAL Proceedings under Rule 20 of the APCS (CC&A) Rules, 1991 – Article of Charges framed – Inquiry Officer appointed to conduct Inquiry –Inquiry report communicated under rule 21(2) of APCS(CC&A) Rules 1991-- Explanation submitted – show cause notice for imposing punishment 25% cut in pension for a period of (10) years against Sri M.Venkateswara Rao, P&EHC(retired) –Explanation submitted – Imposition of punishment of 25% cut in pension for a period of (10) years against Sri M.Venkateswara Rao, P&EHC(Retd) in exercise of the powers conferred under rule 9 of A.P.R.P.Rules, 1980 – Orders – Issued.

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REVENUE (VIGILANCE –IV) DEPARTMENT

G.O.RT.No. 321 **Dated: 22-03-2017**

Read the following:

1) D.G., A.C.B., Lr. No 214/RCT-VGT/2009-S17 dated .06.2010.
2) Govt.Memo.No.39887/Vig.V(2)/2009-5, dt. 18-9-2010.
3) From P&E Supdt. Guntur Letter Rc.No.121/2009/A1 dt. 15-5-2013 addressed to the Secretary to Commr. Of P&E, A.P.Hyderabad.
4) Govt. Memo No 39887/Vig.IV.2/2009 dated 18-6-2016.
5) Explanation of Sri M.Venkateswara Rao, P&E HC (Retd) Dt..24-6-2016.
6) Govt. memo No 39887/Vig.IV.2/2009 dated 14.09.2016.
7) Exp.Sri M.Venkateswara Rao, P&EHC(Retd) dt. 24-10-2016
8)Letter No.39887/Vig.IV(2)/2009, dt. 7-12-2016 and 1-2-2017
9)From Secretary, APPSC, Letter No.45/DC&C/1/2017, dt. 10-3-2017.

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ORDER:

In the reference 1st read above, the Director General, Anti-Corruption Bureau has informed that the Anti-Corruption Bureau authorities have trapped Sri P.Prabhakar Raju, Assistant Prohibition & Excise Superintendent and Sri N.Chandra Mouleswara Rao, Prohibition & Excise Superintendent, when they demanded and accepted Rs.50,000/- each as bribe from the complainant for doing the official favour of submitting a joint inspection report on the application of the complainant through Sri Ch. Srinivas Rao, Prohibition & Excise Commissioner. The Director General, Anti-Corruption Bureau has recommended to accord sanction for prosecution of the above three Accused Officers and also to initiate departmental action against them for vilation of conduct rules. The Director General, Anti-Corruption Bureau has also recommended to initiate departmental action against Sri M.Venkateswara Rao, Prohibition & Excise Head Constable for collecting monthly mamools of Rs.40,000/- and failed to submit annual property returns in his entire service.

2) In the reference 2nd read above, Govt. have requested the Commissioner Prohibition & Excise, Andhra Pradesh to initiate departmental action with major penalty against Sri M. Venkateswara Rao, Prohibition & Excise Head-Constable and direct the concerned authorities to initiate action against him for violation of conduct rules.

3) In the reference 3rd read above, the Prohibition & Excise Superintendent, Guntur who is the competent authority has informed that he has framed (3) articles of charge against M.Venkateswara Rao, for his Written Statement of Defense. After examining the Written Statement of Defense of M.Venkateswara Rao, Prohibition & Excise Head-Constable (Retired), the Prohibition & Excise Superintendent, Guntur has appointed Assistant Prohibition & Excise Superintendent, Tenali as Inquiry Officer. The Enquiry Officer, has submitted his enquiry report stating that out of (3) charges, (2) charges are proved and one charge is not prove.

4) In the reference 4th read above, Government have communicated the Inquiry report to Sri M.Venkateswara Rao, Prohibition & Excise Head Constable (Retired) under Rule 21(2) of Andhra Pradesh Civil Services Rules 1991, and directed to submit his explanation. In the reference 5th read above, Sri M.Venkateswara Rao, Prohibition Excise Head-Constable (Retired) has submitted his explanation and requested to drop further action against him.

(P.T.O)

5) Government, after careful examination of the matter, have provisionally decided to impose a penalty of 25 % cut in pension for a period of (10) Ten years against Sri M.Venkateswara Rao, Prohibition & Excise Head-Constable (Retired). Accordingly, show cause notice was issued to the above C.O for further representation in the matter vide reference 6th read above. Sri M.Venkateswara Rao, P&EHC(Retd) has submitted his explanation to the show cause notice, and requested to the drop the charges framed against him and release the pension vide reference 7th read above. Government have examined the same and found that he did not put forth any new grounds for consideration.

6) After careful examination of the matter, Government have decided to confirm the provisional decision i.e. to impose a penalty of 25 % cut in pension for a period of (10) Ten years against Sri M.Venkateswara Rao, Prohibition & Excise Head-Constable (Retired).

7) In the letter 8th read above, Govt. have referred the matter to APPSC for concurrence as required under rule 9(2) of A.P.R.P.Rules, 1980. In the reference 9th read above, the APPSC has given its concurrence to the proposal of the Government to impose a punishment impose a penalty of 25 % cut in pension for a period of (10) Ten years against Sri M.Venkateswara Rao, Prohibition & Excise Head-Constable (Retired).

8) Accordingly, Government in exercise of the powers conferred under Rule 9 of A.P.R.P.Rules, 1980 hereby impose the punishment of 25 % cut in pension for a period of (10) ten years against Sri M.Venkateswara Rao, Prohibition & Excise Head-Constable (Retired). A copy of the advice of APPSC communicated in the reference 8th read above is enclosed.

9) The Commissioner of Prohibition and Excise, A.P. shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
CHIEF SECRETARY TO GOVERNMENT
& SPECIAL CHIEF SECRETARY (CT, P&E, R&S)

To
Sri M.Venkateswara Rao, Prohibition & Excise Head-Constable (Retired)
through Commissioner of Prohibition and Excise, A.P., Vijayawada.(w.e.)
The Commissioner of Prohibition and Excise, A.P., Vijayawada.
(with a request to serve the copy to the individual and send the served copy to Government)
Copy to :
The Secretary APPSC, Hyderabad.
The Accountant General Andhra Pradesh, Hyderabad.
The Director of Treasures and Accounts Andhra Pradesh, Vijayawada.
Sc/sf.

// FORWARDED BY ORDER //

SECTION OFFICER